

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

KENDALL ROBERTS,)	CASE NO. 4:16-cv-2533
)	
)	
PLAINTIFF,)	JUDGE SARA LIOI
)	
vs.)	
)	MEMORANDUM OPINION
COMMISSIONER OF SOCIAL)	
SECURITY,)	
)	
DEFENDANT.)	

Before the Court is the report and recommendation of the Magistrate Judge in the above-entitled action. (Doc. No. 15.) Under the relevant statute:

[. . .] Within fourteen days after being served with a copy, any party may serve and file written objections to such proposed findings and recommendations as provided by rules of court. A judge of the court shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.

28 U.S.C. § 636(b)(1)(C). In this case, the fourteen-day period has elapsed and no objections have been filed. The failure to file written objections to a Magistrate Judge's report and recommendation constitutes a waiver of a de novo determination by the district court of an issue covered in the report. *Thomas v. Arn*, 728 F.2d 813 (6th Cir. 1984), *aff'd*, 474 U.S. 140 (1985); *see United States v. Walters*, 638 F.2d 947 (6th Cir. 1981).

The Court has reviewed the Magistrate Judge's report and recommendation and adopts the same. Accordingly, the report is adopted, the decision of defendant

Commissioner denying plaintiff's application for supplemental security income is affirmed, and this case is closed.¹

IT IS SO ORDERED.

Dated: November 14, 2017



HONORABLE SARA LIOI
UNITED STATES DISTRICT JUDGE

¹ In so ruling, the Court construes plaintiff's filing styled "Motion for Summary Judgment" (Doc. No. 10) as a brief on the merits inasmuch as this case is before the Court as an appeal from the Commissioner's final order. *See* Local Rule 16.3.1 ("A civil action brought to review a decision of the Commissioner of Social Security, pursuant to 42 U.S.C. § 405(g), shall be adjudicated as an appeal pursuant to this rule.")